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## FACSIMILE TRANSMITTAL

### TO

Name: Examiner Ganapathy Krishnan	Date: January 31, 2005
Company: U.S. Patent and Trademark Office	Phone Number: 571-272-0654
Fax Number: 571-273-0654	Total Pages (including cover): 12
Subject: U.S. Patent Application No. 10/021,502	Confirmation Copy to Follow: N

### FROM

Name: Carol P. Einaudi	Verified by: CH
Phone Number: 202-408-4059	Our File No.: 02481.1771-00

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PATENT  
Customer No. 22,852  
Attorney Docket No. 02481.1771-00

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	
	)	
Heiner GLOMBIK et al.	)	Group Art Unit: 1623
	)	
Application No.: 10/021,502	)	Examiner: G. Krishnan
	)	
Filed: December 19, 2001	)	Confirmation No.: 8511
	)	
For: NOVEL	)	
DIPHENYLAZETIDINONES,	)	
PROCESS FOR THEIR	)	
PREPARATION, MEDICAMENTS	)	
COMPRISING THESE	)	
COMPOUNDS AND THEIR USE	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**COMMUNICATION**

In our communication on January 27, 2005, Examiner Krishnan proposed a revision that would put U.S. Patent Application No. 10/021,502 in condition for allowance. The Office requested that claims 6 and 7 be canceled. Additionally, it was requested that Applicants amend claim 8 such that the abbreviations found in the claim are enclosed within parentheses, as opposed to the expanded form of each abbreviation.

Applicants agree to cancel claims 6 and 7 and to amend claim 8 as requested. In addition, Applicants proposed that claim 8 be further amended such that it depend from claim 1. The Examiner agreed with this suggestion and requested that Applicants submit a revised set of claims that reflect the discussed amendments.

Applicants hereby submit a set of amended claims as reached by agreement with the Examiner on January 27, 2005. This listing of claims will replace all prior versions and listings of claims in the application.

In view of our prior discussion and the foregoing amendments, Applicants respectfully request that the amendments to the claims be entered by Examiner's

Amendment, leading to the timely allowance of the pending claims. If you have questions or comments, please do not hesitate to contact us.

With best regards,

Sincerely,



Carol P. Einaudi  
Reg. No. 32,220



Colin C. Heitzmann  
Reg. No. 55,256

Dated: January 31, 2005